IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 30TH OCTOBER 2007 / 8TH KARTHIKA 1929

Bail Appl..No. 6571 of 2007()

(CRIME NO.307/2007 OF THRISSUR WEST POLICE STATION)
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PETITIONER/ ACCUSED NO.2:

RAVEENDRAKUMAR, S/O.C.C.AYYAPPAN,
AGED 47 YEARS, KALATHIL HOUSE,
CHOWANNUR VILLAGE, THALAPPILLY TALUK,
TRISSUR DISTRICT.

BY ADV. SRI.GRASHIOUS KURIAKOSE

RESPONDENTS: COMPLAINANT:

STATE-S.I. OF POLICE, TRISSUR TOWN WEST,
REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH
COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD ON 30/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.6571 of 2007

Dated this the 30th day of October, 2007

ORDER

Application for anticipatory bail. The petitioner is the 2nd accused. Altogether there are 2 accused persons. They face allegations for offences punishable under Sections 3 and 7 of the Essential Commodities Act as also the provisions of the Liquified Petroleum Gas Regulation, Supply and Distribution Order 2000.

2. The learned Public Prosecutor submits that the investigation is complete. Final report has already been filed. Cognizance has already been taken by the learned Magistrate. The learned Public Prosecutor only submits that it is for the petitioner now to appear before the learned Magistrate and seek regular bail in the ordinary course.

3. I have heard both sides and considered all the relevant inputs. I am persuaded to agree that there are no circumstances in this case which can justify or warrant the invocation of the extraordinary equitable discretion under Section 438 Cr.P.C. I agree with the learned Public Prosecutor that the petitioner must surrender before the learned Magistrate and seek regular bail in the ordinary course.

4. This application is, in these circumstances, dismissed, but I may hasten to observe that if the petitioner surrenders before the learned Magistrate and applies for bail after giving sufficient prior notice to the Prosecutor in charge of the case, the learned Magistrate must proceed to pass appropriate orders on merits and expeditiously.

(R.BASANT, JUDGE)

rtr/-